

REMARKS/ARGUMENTS

The applicants have studied the office action mailed May 23, 2008, and have made the changes believed appropriate to place the application in condition for allowance.

Reconsideration and reexamination are respectfully requested.

Nonmethod claims 1-22 and 34-42 have been cancelled without prejudice. Method claims 23-33 have been amended to clarify limitations. Although Applicants cancelled and amended claims, Applicants are not conceding in this application that the claims in their pre-amended form are invalid for being unpatentable, as the present claim cancellations and amendments are for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue the pre-amendment claims and other claims in this present application and one or more continuations and/or divisional patent applications.

Claims 1- 42 have been rejected under 35 U.S.C. 103(a) as being unpatentable over DeKoning et al. (hereinafter DeKoning) (US 6,073,218) in view of Perego (US 2002/0171652 A1), and further in view of Silberschatz et al. (hereinafter Silberschatz) ("Operating System Concepts: Fifth Edition", John Wiley & Sons, Inc., 1999). These rejections are respectfully traversed.

Claim 23, for example, is directed to a method for cooperative distributed task management in a storage subsystem with multiple controllers, comprising "initiating by an initiating controller a task to be performed; establishing by the initiating controller a task coordination data object shared by the multiple controllers, wherein the task coordination data object comprises discrete partitions of the task comprising task instructions and states for each partition of the task, task instructions for each partition of the task capable of being completed separately by one of the plurality of controllers; selecting by a free controller an available partition of the task separately and independently of the other controllers as indicated by the states for each partition of task instructions; and completing by the free controller the selected partition of the task separately and independently of the other controllers as indicated by the states for each partition of task instructions."

It is respectfully submitted that the Examiner's citations to the DeKoning, Perego and Silberschatz references, considered either alone or in combination, fail to provide any teaching, suggestion, motivation or circumstance which makes obvious, for example, the recited operations of "selecting by a free controller an available partition of the task separately and

independently of the other controllers as indicated by the states for each partition of task instructions; and completing by the free controller the selected partition of the task separately and independently of the other controllers as indicated by the states for each partition of task instructions” as required by claim 23. The Examiner concedes that “DeKoning is silent in having discrete partitions of the task process and selecting a task partition during the processing.”

However, it is the Examiner’s position that Perego “discloses a controller partitioning the processing task into multiple portions and distributing each portion of the processing task to a rendering engine ([0032], [0033], Fig. 3, items 302,304,306), Fig. 4)” and that “it would have been obvious to one of ordinary skill in the art to modify DeKoning's free controller such that it would include the teachings of Perego, specifically in that it would partition the processing task into multiple portions, select and distribute each portion of the processing task.” The applicants respectfully disagree. However, even if it were assumed that the Examiner’s position is correct, a position not conceded by the applicants, it is respectfully submitted that the Examiner’s citations to the Perego reference fail to teach or suggest “selecting by a free controller an available partition of the task separately and independently of the other controllers as indicated by the states for each partition of task instructions; and completing by the free controller the selected partition of the task separately and independently of the other controllers as indicated by the states for each partition of task instructions.” On the contrary, it appears that that Perego reference requires task portions to be *assigned to rendering engines* (see paragraphs 32, 33) rather than being selected and completed by a free rendering engine separately and independently of the other controllers.

Similarly, it appears that tasks in the DeKoning’s reference are coordinated by the primary controller which “carries the primary burden of coordinating activity relating to the associated LUN.” For example, the DeKoning reference states that a secondary controller “wishing to update its cache data in response to an I/O request must first request permission of the primary controller” DeKoning, col. 4, lines 35 et seq.

As explained in the present specification, allowing task partitions to be selected by a free controller independently of other controllers including the initiating controller which partitioned the task can improve system performance in some applications. It is appreciated that in other applications, other features may be realized.

The deficiencies of the Examiner's citations to the DeKoning and Perego references are not met by the Examiner's citations to the Silberschatz reference. The rejection of the dependent claims is improper for the reasons given above. Moreover, the dependent claims include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art. Accordingly, it is respectfully submitted that the rejection of the claims be withdrawn.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable. Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0466.

The attorney of record invites the Examiner to contact him at (310) 553-7970 if the Examiner believes such contact would advance the prosecution of the case.

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